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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA AT ANCHORAGE

THE ESTATE OF BISHAR ALI HASSAN,)
)
AHMED HASSAN AND BILAY ADEN IDIRIS,)
)
	PLAINTIFFS,
Vs.)
)
MUNICIPALITY AND CITY OF ANCHORAGE,)
)
MATTHEW HALL, NATHAN LEWIS, BRETT)
)
EGGIMAN, AND DOES 1-20, INCLUSIVE,)
)
	DEFENDANTS.
)
	3:21-cv-00046-JWS
)

PLAINTIFFS' FIRST MOTION FOR EXTENSION OF DEADLINE TO DEPOSE

EXPERT WITNESSES

Comes now the Plaintiffs, the estate of Bishar Ali Hassan (DECEDENT), by and through Ahmed Hassan as Special Administrator and as an individual, and Bilay Aden Idiris, through counsel of record, Rex Lamont Butler and Associates Inc. P.C. and

hereby files this Motion to Extend the deadline for Deposition of Expert Witnesses and in support thereof states as follows:

1. This case involves at least three (3) experts all of whom are out of state.
2. Despite the parties' best efforts, due to scheduling and calendaring difficulties, counsel having to prepare for trial in at least two (2) murder cases State of Alaska v. Eli Simpson, 4TO-16-00114CR and State of Alaska v. Sidney Huntington, 4DJ-18-00012CR and due to the fact that the experts involved in this matter are out of state, all depositions have not been completed.
3. In particular, it has been difficult scheduling expert witness depositions because the attorney's murder trial schedule in State of Alaska v. Eli Simpson, 4TO-16-00114CR, that was originally set for trial the week of 3/21/22 which was nine (9) days before the expert witness reports were received and is now set for trial the week of 5/16/22 and 5/23/22. Also, the expert witnesses are out of state thus making arrangements and scheduling time to depose is not as straight forward as it would be. Further, it was overly optimistic to hope to depose expert witnesses within 30 days of receiving their opinions to include time for a responsive expert review before depositions.

4. The Parties have been working harmoniously and continue to do so to calendar these depositions to take place within sixty (62) days from April 30th, 2022, the current deadline making July 1st, 2022, the new deadline.
5. **As of 4/29/22 the Defense was not in a position to non-oppose this request to extend the deadline to depose their experts -without first having established dates for the deposition.**
6. The Plaintiffs are working to establish firm dates for the depositions within the 45 days extension being requested.
7. The parties are working in good faith to establish firms dates for the deposition of the three (3) experts and as of 4/29/22, the parties are awaiting to confirm the availability of one expert and have a date to depose another already set.
8. It is for these reasons that the plaintiffs request an extension of the expert deposition deadline by 62 day -to July 1st, 2022.
9. Extending the expert deposition deadline to July 1st, 2022, should not impact the two (2) remaining deadline June 1st, 2022, for the final witness list and July 29th, 2022, for close of discovery. A trial date has yet to be requested in this case.

10. Granting this Motion will further the interest of justice and fulfill the purpose of the discovery rules, ensuring that the parties appear at trial with a full understanding of the facts and anticipated testimony.

WHEREFORE it is respectfully requested that this Honorable Court extend the expert deposition deadline to July 1st, 2022.

RESPECTFULLY SUBMITTED this 29th day of April 2022 in Anchorage, Alaska.

/s/ Rex L. Butler
REX LAMONT BUTLER
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 29th, 2022, a true and correct copy of the foregoing was served electronically on the defendants through ECF filing.

s/ Rex L. Butler
Rex Lamont Butler